Assembly Bill No. 3504

CHAPTER 333

An act to add Section 13211.5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 5, 1996. Filed with
Secretary of State August 5, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3504, Burton.   Elections: ballots: format.

Existing law specifies the order of precedence of offices on the ballot, and imposes various formatting requirements applicable to the printing of office and candidate names appearing on an official ballot at an election.

This bill would require that each group of names of candidates for a particular office be printed in immediate succession to another group of names of candidates for a particular office so as to avoid unnecessary spacing or gaps in the sequence in which each series of groups of names are listed on the ballot. It would set forth formatting rules to apply if it is necessary to leave spaces on the ballot, as specified.

Existing law requires that every legislative ballot measure submitted to the people by the Legislature appear on the ballot of the first statewide election occurring at least 131 days after the adoption of the proposal by the Legislature.

This bill would require, notwithstanding this or other provisions of law, that SCA 4 (Res. Ch. 36, Stats. 1996), and SCA 18 (Res. Ch. 34, Stats. 1996), of the 1995–96 Regular Session, be submitted to the voters at the November 5, 1996, statewide general election.

This bill would require the Secretary of State to include information on SCA 4 and SCA 18, as required by a specified provision of law, on the ballot pamphlet for the 1996 statewide general election. It would further provide that if it is the determination of the State Printer that the inclusion of that information on the ballot pamphlet is not possible, or the inclusion of that information would delay or impede the timely printing of the official ballots, then neither SCA 4 nor SCA 18 shall be placed on the ballot of the November 5, 1996, statewide general election, but instead shall appear on the ballot of the next statewide general election pursuant to law.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 13211.5 is added to the Elections Code, to read:

13211.5. (a) Each group of names of candidates for a particular office shall be printed in immediate succession to another group of names of candidates for a particular office so as to avoid unnecessary spacing or gaps in the sequence in which each series of groups of names are listed on the ballot.

(b) If it is necessary to leave spaces on the ballot in order to provide for the most efficient and least costly process of printing ballots, the spaces shall be located at the end of a column, page, or ballot card wherever possible.

(c) If due to voting system constraints it is necessary to leave a space between offices on a column, page, or ballot card, and the space exceeds one inch, written instructions and a downward arrow or other visual indicator shall be printed on the ballot to direct the voter to the next voting space.

SEC. 2. (a) Notwithstanding Section 9040, 9043, 9044, 9061, 9094, 13115, 13282, or any other provision of law, both Senate Constitutional Amendment 4 (Res. Ch. 36, Stats. 1996), and Senate Constitutional Amendment 18 (Res. Ch. 34, Stats. 1996), of the 1995–96 Regular Session, shall be submitted to the voters at the November 5, 1996, statewide general election.

(b) The Secretary of State shall ensure the placement of both Senate Constitutional Amendment 4 and Senate Constitutional Amendment 18 of the 1995–96 Regular Session on the November 5, 1996, general election ballot, in substantial compliance with any statutory time requirements applicable to the submission of statewide measures to the voters at a statewide election.

(c) Notwithstanding Section 9041, 9042, 9044, or 9060 of the Elections Code, or any other provision of law, arguments in support of Senate Constitutional Amendment 4 and Senate Constitutional Amendment 18 of the 1995–96 Regular Session shall be submitted to the Secretary of State as expeditiously as possible, but not later than one day after the effective date of this act. Arguments in opposition to these measures shall be submitted not later than two days after the effective date of this act.

(d) Notwithstanding Section 9082 of the Elections Code, the Secretary of State shall furnish copy for the preparation of the ballot pamphlets to the Office of State Printing at least 30 days prior to the date for required delivery to the elections officials as provided in Section 9094(a) of the Elections Code.

(e) Notwithstanding Sections 9051 and 13247 of the Elections Code, the Attorney General shall prepare and return to the Secretary of State a ballot title and a summary, as well as an abbreviated ballot statement, for both Senate Constitutional Amendment 4 and Senate

Constitutional Amendment 18 of the 1995–96 Regular Session as expeditiously as possible, but not later than one day after the effective date of this act.

(f) Notwithstanding Section 9087 of the Elections Code, the Legislative Analyst shall prepare an impartial analysis of both Senate Constitutional Amendment 4 and Senate Constitutional Amendment 18 of the 1995–96 Regular Session as expeditiously as possible, but not later than one day after the effective date of this act, and the analyses shall not be submitted to a review committee.

(g) The Secretary of State shall include, in the ballot pamphlet mailed pursuant to Section 9094 of the Elections Code, the information specified in Section 9084 of the Elections Code regarding Senate Constitutional Amendment 4 and Senate Constitutional Amendment 18 of the 1995–96 Regular Session.

(h) The State Printer shall make every reasonable effort and use every legal means to implement the provisions of subdivision (g).

(i) Notwithstanding subdivision (g), if it is the determination of the State Printer that the inclusion of that information on the ballot pamphlet is not possible, or that the inclusion of that information would unduly delay or impede the timely printing of the official ballots, then, notwithstanding subdivisions (a) and (b), neither Senate Constitutional Amendment 4 nor Senate Constitutional Amendment 18 shall be placed on the ballot of the November 5, 1996, statewide general election, but shall instead appear on the ballot of the next statewide general election pursuant to Section 9040 of the Elections Code.

(j) Where voting is done by means of voting machines used pursuant to law in the manner that carries out the intent of this section that Senate Constitutional Amendments 4 and 18 of the 1995–96 Regular Session be properly placed before, and duly considered by, the voters at the November 5, 1996, general election, the use of voting machines is in compliance with this section.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that the requirements of this act are in effect in time for the 1996 general election, and in order to ensure that Senate Constitutional Amendment 4 and Senate Constitutional Amendment 18 of the 1995–96 Regular Session are submitted for voter approval at the 1996 general election, it is necessary that this act take effect immediately.

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